HONOR CODE PLEDGE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**TEST ON THE JUDICIAL BRANCH OF GOVERNMENT**

*Write the letter of the most correct answer in the blank to the left of each question or statement*.

**\_\_\_\_\_1. Which of the following *IS NOT* a part of the Judicial Branch of the United States government?**

A. The Supreme Court

B. The Federal Courts

C. Judges and Prosecutors

D. The President

**\_\_\_\_\_2. What are the two kinds of legal conflicts which courts resolve?**

A. legislative and executive

B. civil and criminal

C. traffic and juvenile

D. checks and balances

**\_\_\_\_\_3. An individual or a group of people who bring a complaint against another party are –**

A. the plaintiff

B. the defendant

C. the jury

D. the precedent

**\_\_\_\_\_4. The party who answers a complaint and attempts to defend themselves against in court is –**

A. the appeal

B. The defendant

C. The jury

D. The plaintiff

**\_\_\_\_\_5. What kind of charges are brought against defendants by prosecutors?**

A. civil charges

B. criminal

C. appeals

D. precedents

* *Brown V. Board of Education* ended segregation in public schools in 1954 when it was announced.
* The following year, the Montgomery Bus Boycott ended because segregation was unconstitutional.

**\_\_\_\_\_6. After the Supreme Court’s decision in *Brown V. Board of Education, Topeka, KS*, other segregation laws were struck down too, because the court had established a(n)** –

A. appeal

B. jurisdiction

C. precedent

D. amendment

**\_\_\_\_\_7. Why is the prosecution unable to appeal a not guilty verdict for a defendant?**

A. only the judge can appeal a verdict

B. the Constitution forbids all appeals.

C. double jeopardy is forbidden.

D. the defendant cannot appeal.

**\_\_\_\_\_8. What act did the first Congress pass in 1789 in order to create the district courts and courts of appeals in the United States?**

A. The Marbury Act

B. The Judiciary Act

C. The Homestead Act

D. The Marshall Plan

**\_\_\_\_\_9. How many Federal Court Circuits are there in the United States?**

A. 1

B. 4

C. 12

D. 94

**\_\_\_\_\_10. How many judges sit on the Court of Appeals?**

A. One

B. Three

C. Nine

D. Eleven

**\_\_\_\_\_11. Does the Court of Appeals make any decision regarding the guilt or innocence of the defendant in the case?**

A. Yes

B. No

**\_\_\_\_\_12. What federal circuit is the Commonwealth of Virginia located in?**

A. Seventh (7th) Circuit

B. Supreme Court Original Jurisdiction

C. Court of Appeals for Federal Circuit

D. Fourth (4th)Circuit

**\_\_\_\_\_13. Which court acts as a final court of appeals for both the state and federal court systems?**

A. Court of Appeals for Federal Circuit

B. Supreme Court

C. Twelfth (12th) Circuit Court

D. The Congress

**\_\_\_\_\_14. The power to overturn any law that the Supreme Court decides is unconstitutional is known as** –

A. precedent

B. override

C. judicial review

D. executive privilege

**\_\_\_\_\_15. What was the Supreme Court case which resulted in the assertion of the right to judicial review?**

A. *Gideon V. Wainwright*

B. *Marbury V. Madison*

C. *Roe V. Wade*

D. *Brown V. Board of Education*

**\_\_\_\_\_16. In order to become a Supreme Court Justice, a judge must be selected by the President of the United State and confirmed by –**

A. the House of Representatives

B. the Senate

C. members of the Supreme Court

D. the Department of Justice

**\_\_\_\_\_17. How many justices are required to agree for a majority decision to be written?**

A. one

B. three out of five

C. five out of nine

D. six out of nine, a 2/3 majority

**\_\_\_\_\_18. A justice on the Supreme Court who does not agree with the majorities decision can write –**

A. a concurring opinion

B. a dissenting opinion

C. an appeal to the executive

D. a resolution of error in trial

**\_\_\_\_\_19. An effort by judges to take an active role in policymaking by overturning unconstitutional laws relatively often is called –**

A. judicial activism

B. judicial restraint

C. executive privilege

D. affirmative action

**\_\_\_\_\_20. Who was the first African-American Supreme Court justice to sit on the Supreme Court?**

A. Clarence Thomas

B. Eric Holder

C. Thurgood Marshall

D. Earl Warren